

# **EXHIBIT 8**

## **PUBLIC VERSION**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT CALIFORNIA  
WESTERN DIVISION

-----  
THE CALIFORNIA INSTITUTE )  
OF TECHNOLOGY, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 2:16-CV-3714-GW-AGRX  
 )  
BROADCOM LIMITED, BROADCOM )  
CORPORATION, AVAGO )  
TECHNOLOGIES LIMITED, )  
APPLE INC., AND CYPRESS )  
SEMICONDUCTOR CORPORATION, )  
 )  
Defendants. )  
 )  
----- )

HIGHLY CONFIDENTIAL -- ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF [REDACTED]  
Palo Alto, California  
Friday, July 14, 2017  
Volume I

Reported by:  
CATHERINE A. RYAN, RMR, CRR  
CSR No. 8239  
Job No. 2649120  
  
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1 [REDACTED] 09:05:50  
2 having been administered an oath, was examined and  
3 testified as follows:  
4 MR. DOWD: And just so it's clear on the  
5 record before we begin, [REDACTED] has been 09:06:05  
6 designated under the 30(b)(6) notice for topics 11,  
7 17, 19 as to marketing; 23, 30, 32, and 35 as to the  
8 market or marketing topics; and then, finally, also  
9 36.  
10 MR. BIDDINGER: Great. Thank you, 09:06:25  
11 Counsel. I appreciate that. It makes it a lot  
12 easier.  
13 EXAMINATION  
14 BY MR. BIDDINGER:  
15 Q Good morning. Could you tell us your full 09:06:30  
16 name, please.  
17 A My full name is [REDACTED]  
18 Q And who do you work for, [REDACTED]  
19 A For Broadcom Limited.  
20 Q And what's your current position at 09:06:44  
21 Broadcom?  
22 A My current position is vice president of  
23 marketing for our WCC business unit.  
24 Q What does WCC stand for?  
25 A Wireless connectivity combo. 09:07:00

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1 Q In terms of who Broadcom's customers are 10:31:57  
2 for WiFi chips, are those the OEMs or end users  
3 or -- who would you identify as the customers for  
4 Broadcom's WiFi chips?

5 A So -- so we have OEMs and ODMs. 10:32:10

6 Q And what's an ODM?

7 A For -- for example, we may work with a  
8 company in Japan or Sam- -- or Samsung -- not  
9 Samsung -- in Korea that could build a small module  
10 that could be used for a smartphone. 10:32:31

11 Q Who are Broadcom's largest OEM customers  
12 for WiFi chips?

13 MR. DOWD: Objection.

14 THE WITNESS: In terms of -- can you be  
15 more specific? 10:32:47

16 BY MR. BIDDINGER:

17 Q In terms of sales volume.

18 A It would be Apple and Samsung.

19 Q Do you know what -- roughly, what  
20 percentage of Broadcom's WiFi chip sales are made to 10:33:13  
21 Apple?

22 A Can you be more specific?

23 Q I don't know how to be more specific.

24 Do you understand what percentage of  
25 Broadcom's WiFi chips are made to Apple? 10:33:32

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1 802.11ac-compliant chips as "5G"? 11:00:12

2 A For -- yes.

3 Q What does "5G" refer to?

4 A So -- so we had an internal marketing

5 campaign. We want to be able to promote the -- 11:00:25

6 fifth-generation WiFi technology, and that's --

7 that's where the 5G comes from.

8 Q So when Broadcom refers to "5G," is it

9 referring solely to 802.11ac-compliant chips?

10 A That's correct. 11:00:45

11 MR. DOWD: Objection.

12 BY MR. BIDDINGER:

13 Q And when did Broadcom first sell an

14 802.11ac-compliant chip?

15 A In my particular segment, it might have 11:01:01

16 been 2013.

17 Q Do you know what the first

18 802.11ac-compliant chip was at Broadcom?

19 A For my particular segment, the smartphone

20 market? It was the [REDACTED] 11:01:25

21 Q Do you know what the first end product to

22 use the [REDACTED] chip was?

23 A I believe it was the Galaxy S5.

24 Q Was the [REDACTED] chip developed for a

25 particular market segment? 11:02:00

1 the phones that are in the market today or -- 11:33:52  
2 BY MR. BIDDINGER:  
3 Q Yes.  
4 A -- can you -- the phones that are being  
5 sold in the market today will most likely use a 11:33:56  
6 solution from Broadcom.  
7 Q And are all of Apple's iPhones sold in the  
8 market today using WCC chips?  
9 MR. DOWD: Objection. Vague.  
10 THE WITNESS: So -- so the -- are you 11:34:15  
11 talking about the iPhone -- iPhone phones?  
12 MR. BIDDINGER: Yes.  
13 THE WITNESS: They will most likely use a  
14 WCC chip.  
15 BY MR. BIDDINGER: 11:34:25  
16 Q Do you know if there's any Apple iPhones  
17 sold in the market today that don't use a WD -- WCC  
18 chip?  
19 A I'm not aware.  
20 Q And do all of Samsung's smartphones sold 11:34:37  
21 in the U.S. market today use WCC chips?  
22 MR. DOWD: Objection.  
23 THE WITNESS: I can't answer to all the  
24 Samsung phones, but the Galaxy phones will use a  
25 WCC. 11:34:56

1 BY MR. BIDDINGER: 11:34:57

2 Q Okay. So that's the Galaxy S and the

3 Galaxy Note?

4 A That's correct.

5 Q And is the same true for tablets -- 11:35:04

6 withdraw that.

7 Is the same true for Samsung tablets?

8 A In the U.S.?

9 Q Yes.

10 A Right now, there's a chance that it might 11:35:14

11 not use WCC chips.

12 Q Some of the tablets might not use --

13 A Yeah.

14 Q -- WCC --

15 A I would say majority of the tablets will 11:35:23

16 not be using WCC at Samsung.

17 Q So they are using, like, WiFi only, for

18 example?

19 A They could be using someone else's chip.

20 Q Ah. Okay. I understand. 11:35:37

21 Do you know if the U.S. is the largest

22 market for products containing Broadcom WiFi chips?

23 MR. DOWD: Objection. Vague.

24 THE WITNESS: Right now, there's multiple

25 major markets, you know, including China, including 11:36:07

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1 A That's correct. 15:04:52

2 Q Okay. So on the top line of the chart --

3 or top row of the chart, the fourth box over -- or

4 chip over is a [REDACTED]

5 Do you see that? 15:05:04

6 A Yes.

7 MR. DOWD: Objection.

8 BY MR. BIDDINGER:

9 Q Is that a chip that was ever made by

10 Broadcom? 15:05:07

11 A [REDACTED]

12 Q [Nods head.]

13 A [REDACTED] is a chip that was being developed by

14 Broadcom. I don't know if that was made.

15 Q So -- so are you aware of whether Broadcom 15:05:23

16 has ever sold a [REDACTED] chip?

17 A We did not sell a [REDACTED] to any customers

18 in Korea or Japan.

19 Q Could you turn to the next page, which

20 ends in -377, and could you tell me what is shown on 15:06:04

21 this page?

22 A Yes. This page shows the products that

23 WCC has and how they're tied to different platforms

24 at our Korea customers, and then it shows you the

25 volumes that ship for those customers -- and 15:06:39



1 projects. 15:06:48

2 Q So, for example, the top row, the GS4  
3 platform, that's the Samsung Galaxy S4?

4 A That's correct.

5 Q And that product uses a [REDACTED] chip? 15:07:11

6 A That's correct.

7 Q And then in terms of the units that are  
8 listed there, is that the number of units of the  
9 chip that Sam- -- that Broadcom supplied to Samsung?

10 MR. DOWD: Objection. Foundation. Vague 15:07:39  
11 as to "supplied to Samsung."

12 THE WITNESS: So -- so for Galaxy S4, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20 BY MR. BIDDINGER: 15:08:19

21 Q So what is this number of units there  
22 represented?

23 A So I -- I can't recall when this  
24 presentation was actually done, but this is probably  
25 a combination of actual shipments plus a forecast.

15:08:32

1 are back on the record at 3:34 p.m. 15:34:27

2 MR. DOWD: Thank you.

3 (Exhibit 9 was marked for identification

4 by the court reporter.)

5 THE WITNESS: Thank you. 15:34:44

6 BY MR. BIDDINGER:

7 Q So you've been handed what's marked as

8 Exhibit 9, which has Production Nos. BCM-CAL\_0017744

9 through -92.

10 Can you look at Exhibit 9 and let me know 15:35:02

11 when you're finished.

12 [Pause.]

13 A Okay.

14 Q Do you recognize Exhibit 9?

15 A Yes. 15:37:41

16 Q What is it?

17 A This looks like another [REDACTED]

18 [REDACTED] that was presented to our general manager.

19 Q Were you involved at all in this

20 presentation? 15:37:52

21 A Yes.

22 Q Were you involved in preparing Exhibit 9?

23 A Yes.

24 Q And then this was something that was

25 presented internally at Broadcom? 15:38:04

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1 is making? 15:43:54

2 MR. DOWD: Objection.

3 THE WITNESS: Forty -- yes.

4 BY MR. BIDDINGER:

5 Q And it says on here that that's a 15:44:07

6 Bluetooth -- or BT/FM plus 11ax.

7 What does that refer to?

8 A So --

9 MR. DOWD: Objection. Compound.

10 THE WITNESS: As a -- as a -- can you -- 15:44:20

11 can you ask that question for a single answer?

12 BY MR. BIDDINGER:

13 Q What does "BT/FM+ax" mean?

14 A It means it has Bluetooth plus FM plus

15 802.11ax. 15:44:36

16 Q What is 802.11ax?

17 A 802.11ax? It's the next-generation

18 standard following 11ac.

19 Q Could you turn to the next page ends in

20 -751. 15:45:05

21 A Okay.

22 Q And what's depicted on this page?

23 A This is a [REDACTED]

[REDACTED]

[REDACTED]

25 Q And [REDACTED] 15:45:29

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1

█

3

A Yes.

4

Q And on this -- in the middle of this

5

slide, it says -- well, withdraw that.

15:45:57

6

So starting with the

█

█

9

A Yes.

10

Q And in the middle of this slide, it says:

15:46:28

11

█

13

Do you see that?

14

A Yes.

15

Q What does that mean?

15:46:36

16

A

█

█

█

█

█

█

█

█

25

Q ASP is "average selling price"?

15:47:15

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1 [REDACTED] 17:20:22

2 [REDACTED]

3 MR. DOWD: Objection.

4 THE WITNESS: [REDACTED]

5 MR. BIDDINGER: Yeah. 17:20:40

6 THE WITNESS: Yes.

7 BY MR. BIDDINGER:

8 Q And what chip was that?

9 A The number was [REDACTED]

10 Q Do you know if Samsung used -- 17:20:54

11 A I'm -- [REDACTED]

12 yeah.

13 Wait a second. [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED] [REDACTED] 17:21:09

16 [REDACTED]

17 Q Oh.

18 A And that's the one that had the --

19 Q The re-call?

20 A -- trouble with the battery -- yeah, the 17:21:18

21 re-call.

22 Q Okay. So -- so -- so the Broadcom chip --

23 A It was a [REDACTED] but it was in the -- it

24 was not -- there was no such [REDACTED]

25 Q So it was the [REDACTED] had the -- 17:21:31

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1 A That's correct. 17:21:33

2 Q -- [REDACTED]

3 A That's correct.

4 Q And is the [REDACTED]

5 [REDACTED] 17:21:44

6 MR. DOWD: Objection. Calls for

7 speculation. Vague.

8 THE WITNESS: Most likely.

9 BY MR. BIDDINGER:

10 Q Have they -- has [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 MR. DOWD: Objection. Vague. Calls for

14 speculation.

15 THE WITNESS: [REDACTED] [REDACTED]

16 [REDACTED]

17 BY MR. BIDDINGER:

18 Q And what chip is that?

19 A [REDACTED]

20 Q [REDACTED] [REDACTED]

21 [REDACTED]

22 A Yes.

23 Q [REDACTED]

24 A [REDACTED]

25 Q Did the Galaxy S8 include a Broadcom WCC 17:22:35

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1 combo chip? 17:22:40

2 A Yes.

3 MR. DOWD: Objection.

4 BY MR. BIDDINGER:

5 Q And what chip? 17:22:42

6 A [REDACTED]

7 Q [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 MR. DOWD: Objection. Vague. Calls for 17:23:00

11 speculation.

12 THE WITNESS: Yes.

13 BY MR. BIDDINGER:

14 Q [REDACTED]

15 A A version of the [REDACTED] 17:23:06

16 Q Is the design of that chip final yet?

17 A Yes.

18 Q So does it have a number that's different

19 than [REDACTED]

20 A It's a different revision. [REDACTED] 17:23:24

21 [REDACTED]

22 Q But it's still [REDACTED]

23 A Yeah, same architecture, same -- same

24 features, same...

25 (Exhibit 14 was marked for 17:24:11

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

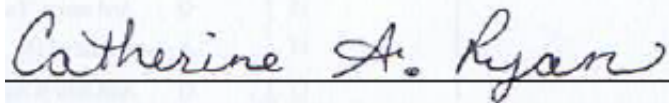
4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing is a true  
11 record of the testimony given.

12 Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [ ] was [ ] was not requested.

16 I further certify that I am neither  
17 financially interested in the action nor a relative  
18 or employee of any attorney or any party to this  
19 action.

20 IN WITNESS WHEREOF, I have this date  
21 subscribed my name.

22 Dated: 7/28/17

23   
24

Catherine A. Ryan, RMR, CRR

25 CSR No. 8239